

IDAHO CONTRACTORS BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 5/8/2018

BOARD MEMBERS PRESENT: Gary R Bond - Chair
Rodney Underhill
J Robert Pilote
Todd B Webb

BOARD MEMBERS ABSENT: David S Shurtleff

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Eric Nelson, Board Prosecutor
Kim Aksamit, Technical Records Specialist II

OTHERS PRESENT: Javier Hernandez, Trinady Jack Davis,
David Herrera and Chelsea Reece

The meeting was called to order at 8:30 AM MDT by Gary R Bond.

APPROVAL OF MINUTES

Mr. Pilote made a motion to approve the minutes of April 10, 2018. It was seconded by Mr. Webb. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadline to submit proposed law changes to the Governor's Office is mid-July 2018 and the deadline to submit proposed rule changes to the Governor's Office is mid-August 2018 for the 2019 Legislative Session.

Ms. Cory said that an interim committee has been established to study occupational licensing. The Occupational Licensing and Certification Law Interim Committee will meet over the summer.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$186,757.80 as of April 30.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case numbers CON-2018-49, CON-2018-69, CON-2017-110, CON-2018-54, CON-2018-55, and CON-2018-76. After discussion, the Board gave recommendations for appropriate discipline.

Mr. Pilote made a motion to close case number CON-2018-38 with an advisory letter. It was seconded by Mr. Webb. Motion carried.

Mr. Underhill made a motion to close case number CON-2018-27 with an advisory letter. It was seconded by Mr. Pilote. Motion carried.

Mr. Underhill made a motion to close case number CON-2018-50 with an advisory letter. It was seconded by Mr. Pilote. Motion carried.

Mr. Nelson presented Stipulation and Consent Orders in cases CON-2018-33, and CON-2018-51. Mr. Underhill made a motion to approve the Consent Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Pilote. Motion carried.

Mr. Nelson presented a Findings of Fact, Conclusions of Law and Final Order in case CON-2017-54. Mr. Underhill made a motion to approve the Final Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Pilote. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Pilote made a motion to approve the Bureau's recommendations and authorize closure in cases I-CON-2018-151, I-CON-2018-198, I-CON-2018-201, I-CON-2018-206, I-CON-2018-211, I-CON-2018-218, I-CON-2018-247, I-CON-2018-252, I-CON-2018-255, I-CON-2018-256, I-CON-2018-162, I-CON-2018-165, I-CON-2018-203, I-CON-2018-205, I-CON-2018-208, I-CON-2018-214, I-CON-2018-222, I-CON-2018-246, I-CON-2018-273, I-CON-2018-274, I-CON-2018-200, I-CON-2018-207, I-CON-2018-209, I-CON-2018-215, I-CON-2018-216, I-CON-2018-223, I-CON-2018-240, and I-CON-2018-202. It was seconded by Mr. Underhill. Motion carried.

Mr. Underhill made a motion to approve the Bureau's recommendations and authorize closure in cases I-CON-2018-249, I-CON-2017-178, I-CON-2017-183, I-CON-2017-228, I-CON-2017-229, I-CON-2017-252, I-CON-2018-24, I-CON-2018-38, I-CON-2018-70 and I-CON-2018-131. It was seconded by Mr. Pilote. Motion carried.

Mr. Underhill made a motion to approve the Bureau's recommendations and authorize closure with a warning letter in cases I-CON-2017-251, I-CON-2017-253, I-CON-2018-16 and I-CON-2018-53. It was seconded by Mr. Pilote. Motion carried.

PAYMENT PROPOSALS

Ms. Peel presented payment proposals for CON-2017-26.

Mr. Webb made a motion to approve the payment proposal of \$200 per month for case CON-2017-26. It was seconded by Mr. Underhill. Motion carried.

Ryan Linnarz with the Industrial Commission spoke with the Board regarding worker's compensation.

Mr. Webb made a motion to approve the language regarding the worker's compensation exemption statement to the application and upon the Board Chair's review. It was seconded by Mr. Underhill. Motion carried.

OLD BUSINESS

TO DO LIST

The Board reviewed the To Do List and no action was taken.

NEW BUSINESS

EXECUTIVE SESSION

Mr. Underhill made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Mr. Pilote. The vote was: Mr. Bond, aye; Mr. Webb, aye; Mr. Underhill, aye; and Mr. Pilote, aye. Motion carried.

Mr. Pilote made a motion to come out of executive session. It was seconded by Mr. Webb. The vote was: Mr. Bond, aye; Mr. Webb, aye; Mr. Underhill, aye; and Mr. Pilote, aye. Motion carried.

APPLICATIONS

Mr. Pilote made a motion to approve the following for registration:

HERRERA DAVID	RCT-47243
DAVIS TRINADY JACK	RCT-47463
HERNANDEZ JAVIER A	RCT-47570

It was seconded by Mr. Webb. Motion carried.

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Mr. Pilote made a motion to come out of executive session. It was seconded by Mr. Webb. The vote was: Mr. Bond, aye; Mr. Webb, aye; Mr. Underhill, aye; and Mr. Pilote, aye. Motion carried.

Mr. Webb made a motion to approve the following for registration:

Approved for Registration

APEX INNOVATIVE SOLUTIONS LLC	RCE-47092
SAFER CHIMNEY LLC	RCE-47508
USSHER CONSTRUCTION LLC	RCE-47511
KNOTTY LOGISTICS INC	RCE-47544
CARLTON TIMOTHY JAMES	RCT-47190
HOSKINS JUSTIN K	RCT-47324
LANGBERG CORY BRUCE	RCT-47478
MARSHALL JOSEPH E	RCT-47421
NICK ELIAH J	RCT-47353
PEREZ CEH CARLOS BERNARDO	RCT-47660

It was seconded by Mr. Underhill. Motion carried.

Mr. Pilote made a motion to accept the request for reconsideration for CONA-46209. It was seconded by Mr. Underhill.

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Mr. Pilote made a motion to come out of executive session. It was seconded by Mr. Webb. The vote was: Mr. Bond, aye; Mr. Webb, aye; Mr. Underhill, aye; and Mr. Pilote, aye. Motion carried.

Mr. Webb made a motion to deny the following for registration based on Rule 165.

Denied

ASSIDUOUS PAINTING

It was seconded by Mr. Underhill. Motion carried.

Mr. Pilote made a motion to table applicants 901158325 and 901158454 pending receipt of further information. It was seconded by Mr. Webb. Motion carried.

Mr. Underhill made a motion to table applicant 901157817 pending receipt of further information. It was seconded by Mr. Pilote. Motion carried.

Mr. Webb made a motion to table applicant 901158631 pending receipt of further information. It was seconded by Mr. Underhill. Motion carried.

Mr. Pilote made a motion to approve the following for registration:

DOUBLE D FRAMING LLC	RCE-46209
HARROD CONSTRUCTION LLC	RCE-47468

It was seconded by Mr. Underhill. Motion carried.

NEXT MEETING was scheduled for June 5, 2018 at 10:00 AM MDT

ADJOURNMENT

Mr. Pilote made a motion to adjourn the meeting at 1:07 PM MDT. It was seconded by Mr. Underhill. Motion carried.

Gary R Bond, Chair

Rodney Underhill

J Robert Pilote

Todd B Webb

David S Shurtleff

Tana Cory, Bureau Chief